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Attorney Docket No. 126.1001

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Kimberly R. Lockett	Art Unit: 2837
Re: Application of:	Mark DRONGE
Serial No.:	10/620,235
Confirmation No.:	8521
Filed:	July 15, 2003
For:	Method for Coloring Strings and Strings Colored Thereby
Customer Number:	22846

REPLY BRIEF UNDER 37 C.F.R. §41.41

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

December 3, 2007

Dear Sir:

In response to the Examiner's Answer mailed October 3, 2007, appellant replies as follows:

It is emphasized that the application of color and variable sizing of strings on a common musical string instrument to enable playing of the instrument by association of colored notes on a sheet of music to the colors of the strings is unique and novel to the appellant and should be patentable.

The appellant believes he is the first to have recognized the ability to enable people to easily learn to play string instruments having variable sized strings and has created a market for a set of such strings while also providing an instruction booklet and sheet music applying the different color scheme to music notes to thereby provide a comprehensive instrument playing teaching set. The size of this market is significant as set forth in the Declaration of Commercial Success of record herein.

FACSIMILE CERTIFICATION

I hereby certify that this correspondence is being
facsimile transmitted to the Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450" on December 3, 2007.
(571) 273-8000
Brian Roffe

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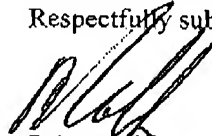
Appln. No. 10/620,235
Reply Brief dated Dec. 3, 2007

The Examiner alleges that appellant has not demonstrated an adequate showing of a significant improvement in sales over the prior art (Examiner's Answer at page 5), but fails to appreciate that there is no comparison to the prior art, and has not identified any comparable prior art. The prior art simply lacks any such set of variably colored and sized strings and by contrast, includes sets of variably sized strings (Sperzel) or sets of variably colored strings (Roberts), but not both. In any event, it is respectfully submitted that the commercial nature of the variably colored strings of Roberts is unclear and may even be non-existent. As such, all sales by appellant would constitute an "improvement in sales over the prior art" and in fact, a significant improvement.

Moreover, the sheer absence of any disclosure of the combined application of color and variable sizing to strings for a musical string instrument, prior to the appellant invention herein, strengthens and reinforces the appellant's claim to novelty and non-obviousness for the present claimed invention.

In view of the comments above and those set forth in the Appeal Brief filed January 11, 2007, it is respectfully requested that the Board reverse all of the final rejections.

FOR THE APPELLANT
Respectfully submitted,



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